

A Common Sense Approach to Winter Pedestrian Safety

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Kids walking in the street to school. Transit riders unable to walk safely to the Metro or bus stop. Seniors trapped in their homes for fear of falling and breaking their hip if they walk outside. Wheelchair users unable to use the sidewalk to get to where they need to go.

Too often, this is what it's like for pedestrians in Montgomery County after it snows. It shouldn't be this way. In most communities near us, it isn't this way.

It's time for our County to do what Baltimore County, Howard County, Prince George's County, the District of Columbia, and the cities of Frederick, Gaithersburg, Rockville, and Takoma Park have already done. It's time we require that all property owners see to it that the sidewalks next to their property are cleared of snow shortly after a snowfall.

Sidewalks are a necessity for many people -- especially children—in our county. Since many youngsters must walk to school, it is our responsibility as neighbors and as a community to ensure that the sidewalks they must use are safe. Many adults must also walk or use a wheelchair to get where they need to go. Their safety must also be our concern.

That's why I introduced the Winter Pedestrian Safety Act, Bill 1-01. Cosponsored by Councilmembers Isiah Leggett and Steven Silverman, the bill is a common sense approach to the serious but solvable problem of unsafe sidewalks that confronts us every time we receive a significant snowfall. When sidewalks aren't cleared soon after it snows, the snow hardens and can be dangerous for weeks if the temperature stays cold and the sidewalk is shaded.

There is little point in having sidewalks if they're unsafe to use. Moreover, our County Government explicitly encourages residents to take transit rather than drive when it snows. That's all the more reason to ensure that people can walk safely to the local bus stop and to other places where they need to go.

When roads aren't cleared of snow and/or treated with abrasives within 24 hours after a normal storm, residents complain and rightly so. We need to be equally concerned about clearing sidewalks of snow quickly. For many people in our County, the sidewalk is their road.

The legislation I have proposed does the following:

- requires property owners to create a safe path for pedestrian and wheelchair use by removing snow from sidewalks next to their property within 24 hours

after a snowfall. If the snow or ice is too hard-packed to remove with reasonable effort, the bill requires property owners to apply an abrasive such as salt or sand;

- allows the County executive to set a different deadline if conditions warrant (such as a blizzard);
- requires that the County warn property owners in writing at least 24 hours before issuing a \$50 citation, and limits single family residential property owners to one citation per snowfall;
- requires the County Executive to designate an agency to enforce the law;
- allows the County to clear the sidewalk and bill the property owner for the cost if the owner ignores a written warning to comply with the law;
- prohibits using handicapped parking spaces as places to pile snow, subject to a \$100 fine.

Our County was recently named an All American Community largely on the strength on our volunteer programs. The County can maintain a list of volunteers willing to help those relatively few homeowner who are both physically unable to shovel snow and unable to afford to hire someone to do it for them. For example, the County has thousands of students who need 75 hours of community service credit to graduate from high school. Homeowners who travel during the winter can arrange for a neighbor to clear their sidewalk should it snow while they are away, just as they might have a neighbor cut their grass in the summer.

The County Government has worked hard to improve its own response to clearing county roads and sidewalks adjacent to county property after snowstorms. There is room for more improvement and I will keep on this issue.

For years, the County has encouraged residents to voluntarily clear their sidewalks of snow. On February 2, 1988, then Council President Michael Subin sent a letter to County Executive Sidney Kramer noting that the Council had recently passed a resolution urging property owners to clear snow from sidewalks. In February, 2000, Council President Subin, Councilmember Silverman and I participated in a well-reported news conference at which we urged property owners to clear sidewalks of snow. Thirteen years is a long enough to see that it's time to try a new approach -- one that will work.

Bill 1-01 will work because it's clear that compliance is significantly higher in communities that require property owners to remove snow. Last month after it snowed, my office, assisted by volunteers, surveyed several hundred homes in unincorporated areas of our County (where homeowners are not required to clear snow from sidewalks) and in the cities of Gaithersburg and Rockville (which require homeowners to clear). Sidewalks that were clear of snow were seen in

about 90% or better of the residences in Gaitherburg and Rockville, and about 65% in areas where snow removal is not required.

Youngsters, frail elderly, transit users, and people with disabilities must use sidewalks to get around. They need our help. As a caring community, we must respond.

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